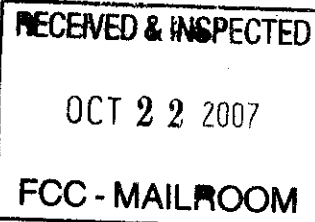


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BEFORE THE
FEDERAL COMMUNICATION COMMISSION
WASHINGTON, DC 20554



In the Matter of) EB Docket No. 07-13
)
) ERN No. 0002074797
) File No. EB-06-IH-5048
)
David L. Titus) Notice of Intent to Retain Expert
) Witness
)
Amateur Radio Operator and Licensee)
of Amateur Radio Station KB7ILD)
_____)

To: Richard L. Sippel
Chief Administrative Law Judge

1. By *David L. Titus*, Order, FCC 07M-40 (ALJ, rel. October 16, 2007),
the Presiding Judge Ordered Mr. David L. Titus "...to categorically
state whether or not he intends to retain an expert witness to
testify on his behalf."
2. At this date Mr. *David L. Titus* hereby states that he does intend to
retain an expert witness to testify on his behalf. Mr. Titus has
allocated from his monthly salary to pay for the expert witness
services.

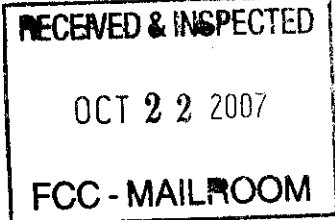
Dated this 18th day of October, 2007

David L. Titus

David L. Titus
1425 Broadway #304
Seattle, WA 98122

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LX ABCDE

BEFORE THE
FEDERAL COMMUNICATION COMMISSION
WASHINGTON, DC 20554



In the Matter of) EB Docket No. 07-13
)
) FRN No. 0002074797
) File No. EB-06-IH-5048
)
David L. Titus) Declaration of Inability to Mail
)
)
Amateur Radio Operator and Licensee)
of Amateur Radio Station KB7ILD)
_____)

To: Richard L. Sippel
Chief Administrative Law Judge

On this 18th day of October, 2007 Mr. David L. Titus was unable to complete the mailing of the *Notice of Intent to Retain Expert Witness* due to a power outage. Presumably the power went out due to a high power wind storm in the Puget Sound area. Power was not restored at Mr. Titus' residence and surrounding area until approximately 8:00pm PST.

Mr. Titus did attempt to mail the *Notice of Intent to Retain Expert Witness* before the end of the business day on the 18th day of October, 2007. Due to the power outage, however, Mr. Titus was unsuccessful in his mailing efforts due to the unexpected early closure of mailing facilities in the area.

Dated this 18th day of October, 2007

David L. Titus

David L. Titus
1425 Broadway #304
Seattle, WA 98122

CERTIFICATE OF SERVICE

David L. Titus certifies that on this 19th day of October, 2007 he sent via overnight courier the original and six copies of the *Notice of Intent to Retain Expert Witness and Declaration of Inability to Mail to:*

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

And copies were deposited in the United States mail, with postage prepaid thereon, to:

Chief Administrative Law Judge Richard L. Sippel*
Federal Communications Commission
445 12th Street, SW, Suite 1-C768
Washington, DC 20554;

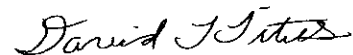
Gary Schonman
Special Counsel
Investigations and Hearings Division
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, DC 20554;

William Knowles-Kellett
Attorney
Investigations and Hearings Division
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, DC 20554

*Facsimile only to 202.418.0195

Courtesy .PDF copies emailed to: gary.schonman@fcc.gov, william.knowles-kellett@fcc.gov & mary.gosse@fcc.gov (for Richard L. Sippel)

Dated this 19th day of October, 2007



David L. Titus
1425 Broadway #304
Seattle, WA 98122